



General Assembly

Distr.
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A/C.3/51/L.16
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ORIGINAL: ENGLISH

Fifty-first session
THIRD COMMITTEE
Agenda item 105

REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES,
QUESTIONS RELATING TO REFUGEES, RETURNEES AND DISPLACED
PERSONS AND HUMANITARIAN QUESTIONS

Bangladesh, Bosnia and Herzegovina, Egypt, El Salvador, Guatemala,
Honduras, Jordan, Kyrgyzstan, Libyan Arab Jamahiriya, Mauritania,
Monaco, Morocco, Oman, Pakistan, Qatar, Slovenia, Sudan and Yemen:
draft resolution

New international humanitarian order

The General Assembly,

Recalling its resolution 49/170 of 23 December 1994 and other pertinent resolutions 1/ relating to the promotion of a new international humanitarian order and of international cooperation in the humanitarian field,

Taking note of the report of the Secretary-General 2/ and the previous reports 3/ containing the comments and views of Governments, specialized agencies and non-governmental organizations,

1/ Resolutions 36/136 of 14 December 1981, 37/201 of 18 December 1982, 38/125 of 16 December 1983, 40/126 of 13 December 1985, 42/120 and 42/121 of 7 December 1987, 43/129 and 43/130 of 8 December 1988, 45/101 and 45/102 of 14 December 1990 and 47/106 of 16 December 1992.

2/ A/51/454.

3/ A/37/145, A/38/450, A/40/358 and Add.1 and 2, A/41/472, A/43/734 and Add.1, A/45/524, A/47/352 and A/49/577 and Corr.1.

Noting that a number of Governments have not yet submitted their comments in regard to the above-mentioned resolutions,

Noting with deep concern the growing scale of humanitarian emergencies involving widespread suffering, loss of life and uprootedness,

Noting the corresponding increase in the burden on the international community to provide emergency relief for protracted periods while durable solutions remain evasive, to the detriment of stability and security and thereby adversely affecting economic and social development,

Bearing in mind the urgent need to elaborate further principles and norms relating to humanitarian emergencies, as well as effective measures to ensure respect for them, including, inter alia, a declaration relating to humanitarian action,

1. Expresses its appreciation to the Secretary-General for his continuing support for the efforts to promote a new international humanitarian order;
2. Urges Governments and governmental and non-governmental organizations that have not yet done so to submit their comments and views to the Secretary-General regarding the promotion of a new international humanitarian order;
3. Requests Governments to make available to the Secretary-General, on a voluntary basis, information and expertise on humanitarian issues of special concern to them in order to identify opportunities for future action;
4. Invites the Independent Bureau for Humanitarian Issues to continue and further strengthen its activities in cooperation with the governmental and non-governmental bodies concerned;
5. Requests the Secretary-General to remain in contact with Governments and non-governmental organizations, including the Independent Bureau for Humanitarian Issues, in order to report on the progress made by them to the General Assembly at its fifty-third session.



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Agenda item 103

ADVANCEMENT OF WOMEN

Argentina, Bangladesh, Costa Rica, Côte d'Ivoire, Dominican Republic, El Salvador, Guinea-Bissau, Marshall Islands, Philippines and Portugal: draft resolution

Violence against women migrant workers

The General Assembly,

Recalling all previous resolutions on violence against women migrant workers adopted by the General Assembly, the Commission on the Status of Women and the Commission on Human Rights, as well as the Declaration on the Elimination of Violence against Women, 1/

Affirming the conclusions of the World Conference on Human Rights, the International Conference on Population and Development, the World Summit for Social Development and the Fourth World Conference on Women, specifically as they pertain to women migrant workers,

Taking note of the section concerning women migrant workers in the report of the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, 2/ as well as the report of the Subcommission's Working Group on Contemporary Forms of Slavery, 3/ in particular its observations on the treatment of migrant workers,

1/ Resolution 48/104.

2/ A/51/301.

3/ E/CN.4/Sub.2/1995/28 and Add.1.



Conscious of the great importance given to the promotion and protection of the human rights of persons belonging to groups which have been rendered vulnerable, including migrant workers, the elimination of all forms of discrimination against them, and the strengthening and more effective implementation of existing human rights instruments,

Noting the large numbers of women from developing countries and from some countries in transition who continue to venture forth to more affluent countries in search of a living for themselves and their families as a consequence of poverty, unemployment and other socio-economic conditions, and acknowledging the duty of sending States to work for conditions that provide employment and security to their citizens,

Acknowledging the economic benefits that accrue to sending and receiving States from the employment of women migrant workers,

Concerned by the continuing reports of grave abuses and acts of violence committed against the persons of women migrant workers by some employers in some host countries,

Encouraged by some measures adopted by some receiving States to alleviate the plight of women migrant workers residing within their areas of jurisdiction,

Reiterating that acts of violence directed against women impair or nullify their enjoyment of their human rights and fundamental freedoms,

1. Takes note of the report of the Secretary-General on violence against women migrant workers; 4/
2. Welcomes, with appreciation, the holding of an expert group meeting on violence against women migrant workers at Manila from 27 to 31 May 1996;
3. Determines to prevent and eliminate all forms of violence against women and girls;
4. Encourages Member States to enact and/or reinforce penal, civil, labour and administrative sanctions in domestic legislation to punish and redress the wrongs done to women and girls who are subjected to any form of violence, whether in the home, the workplace, the community or society;
5. Also encourages Member States to adopt and/or implement and periodically to review and analyse legislation to ensure its effectiveness in eliminating violence against women, emphasizing the prevention of violence and the prosecution of offenders, and to take measures to ensure the protection of women subjected to violence and their access to just and effective remedies, including compensation and indemnification and healing of victims, and measures for the rehabilitation of perpetrators;

6. Invites Member States to consider adopting appropriate legal measures against intermediaries who deliberately encourage the clandestine movement of workers and who exploit women migrant workers;

7. Reiterates the need for States concerned, specifically the sending and receiving States of women migrant workers, to conduct regular consultations for the purpose of identifying problem areas in promoting and protecting the rights of women migrant workers and ensuring health, legal and social services for them, adopting specific measures to address those problems, setting up, as necessary, linguistically and culturally accessible services and mechanisms to implement those measures and, in general, creating conditions that foster greater harmony and tolerance between women migrant workers and the rest of the society in which they reside;

8. Encourages Member States to consider signing and ratifying or acceding to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, 5/ as well as the Slavery Convention of 1926; 6/

9. Requests the United Nations High Commissioner for Human Rights, the Centre for Human Rights of the Secretariat and the Special Rapporteur, as well as all relevant bodies and programmes in the United Nations system, when addressing the issue of violence against women, to give particular attention to the issue of violence perpetrated against women migrant workers and to submit reports thereon to the General Assembly;

10. Emphasizes the need for accurate and comprehensive information as a basis for policy formulation;

11. Draws the attention of Governments, relevant United Nations organizations and bodies and intergovernmental and non-governmental organizations to the indicators of violence and vulnerability, the indicative list of data on the general characteristics of women migrant workers and the methods of data collection contained in the report of the Secretary-General, 7/ for use as a possible guide in the collection and organization of data which could serve as a basis for policy formation on the question, and requests the Commission on the Status of Women to consider that information at its regular session in March 1997, with a view to improving or refining it if necessary;

12. Draws attention to the recommendation of the Expert Group Meeting on Violence against Women Migrant Workers that the Administrative Committee on Coordination should serve as the focal point within the United Nations system responsible for effectively coordinating initiatives relating to violence

5/ Resolution 45/158, annex.

6/ See Human Rights: A Compilation of International Instruments (United Nations publication, Sales No. E.94.XIV.1 (vol. I, Part I)).

7/ See A/51/325, annex, sect. III.

against women migrant workers, 8/ and requests the comments and recommendation thereon of the Commission on the Status of Women when it convenes in March 1997;

13. Also draws attention to the statement of the Secretary-General contained in his report that a message was sent by the Special Rapporteur of the Commission on Human Rights on violence against women which affirmed that violence was a fundamental issue of women's human rights, and that an analysis of the rights of women migrant workers was essential for the protection of those rights; 9/

14. Invites the regional commissions and the regional offices of the International Labour Organization to examine ways and means, within existing resources, of dealing with concerns pertaining to women migrant workers;

15. Requests the Secretary-General to report to the General Assembly at its fifty-second session on the implementation of the present resolution.

8/ Ibid., para. 70.

9/ Ibid., sect. II.B.



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Agenda item 103

ADVANCEMENT OF WOMEN

Argentina, Bangladesh, Costa Rica, Dominican Republic, Indonesia,
Marshall Islands, Mongolia, Nicaragua, Philippines and South
Africa: draft resolution

Traffic in women and girls

The General Assembly,

Reaffirming the principles set forth in the Universal Declaration of Human Rights, the Convention on the Elimination of All Forms of Discrimination against Women, the International Covenants on Human Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Rights of the Child, the Declaration on the Elimination of Violence against Women and the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others,

Recalling all previous resolutions on the problem of the traffic in women and girls,

Affirming the provisions of the outcome of the World Conference on Human Rights, the International Conference on Population and Development, the World Summit for Social Development, the Fourth World Conference on Women and the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders pertaining to the traffic in women and children,

Welcoming the recommendations of the Special Rapporteur of the Commission on Human Rights on violence against women, on the traffic in women and girls included in his report to the Commission, 1/

1/ E/CN.4/1996/53 and Add.1 and 2.

Acknowledging the work done by intergovernmental and non-governmental organizations in compiling information on the scale and complexity of the problem of trafficking, in providing shelters for trafficked women and children and in effecting their voluntary repatriation to their countries of origin,

Noting with concern the increasing number of women and girl children from developing countries and from some countries with economies in transition who are being victimized by traffickers, and acknowledging that the problem of trafficking also victimizes young boys,

Convinced of the need to eliminate all forms of sexual violence and sexual trafficking, including for prostitution and other forms of commercial sex, which are violations of the human rights of women and girl children and are incompatible with the dignity and worth of the human person,

Realizing the urgent need for the adoption of effective measures nationally, regionally and internationally to protect women and girl children from this nefarious traffic,

1. Notes with appreciation the report of the Secretary-General on the traffic in women and girls; 2/
2. Welcomes the convening of the World Congress against Commercial Sexual Exploitation of Children held at Stockholm from 27 to 31 August 1996;
3. Calls upon Governments of countries of origin, transit and destination, and regional and international organizations, as appropriate, to implement the Platform for Action of the Fourth World Conference on Women by:
 - (a) Considering the ratification and enforcement of international conventions on trafficking in persons and on slavery;
 - (b) Taking appropriate measures to address the root factors, including external factors, that encourage trafficking in women and girls for prostitution and other forms of commercialized sex, forced marriages and forced labour in order to eliminate trafficking in women, including by strengthening existing legislation with a view to providing better protection of the rights of women and girls and to punishing the perpetrators, through both criminal and civil measures;
 - (c) Stepping up cooperation and concerted action by all relevant law enforcement authorities and institutions with a view to dismantling national, regional and international networks in trafficking;
 - (d) Allocating resources to provide comprehensive programmes designed to heal and rehabilitate into society victims of trafficking, including through job training, legal assistance, and confidential health care and taking measures to cooperate with non-governmental organizations to provide for the social, medical and psychological care of the victims of trafficking;

(e) Developing educational and training programmes and policies and considering enacting legislation aimed at preventing sex tourism and trafficking, giving special emphasis to the protection of young women and children;

4. Invites Governments to accord standard minimum humanitarian treatment to trafficked persons, consistent with human rights standards;

5. Invites the United Nations to formulate a manual for the training of personnel who receive and/or hold in temporary custody victims of gender-based violence, including trafficking, with a view to preventing the exacerbation of post-traumatic stress suffered by such victims. In the preparation of the manual, the International Research and Training Institute for the Advancement of Women, with the cooperation and assistance of relevant United Nations agencies and non-governmental organizations, in particular those organizations concerned with traumatic stress studies, should examine available research material or studies on the subject with the view to incorporating them in the manual;

6. Requests funding for the above-mentioned manual from the trust fund within the United Nations Development Fund for Women established by the General Assembly in its resolution 50/166 of 22 December 1995 in support of national, regional and international action to eliminate violence against women, and invites Governments and the civil society to make voluntary contributions for the project through the trust fund;

7. Calls upon all Governments to criminalize trafficking in women and girls in all its forms and condemn and penalize all those offenders involved, whether their offence was committed in their own or in a foreign country, while ensuring that the victims of these practices are not penalized, and to adopt appropriate sanctions against persons in authority found guilty of sexually assaulting trafficking victims in their custody;

8. Urges Governments concerned to support comprehensive practical approaches by the international community to assist women and children victims of transnational trafficking to return home and be reintegrated in their home societies;

9. Invites relevant intergovernmental and non-governmental organizations to provide advisory services to Governments, upon their request, in planning and setting up rehabilitation programmes for victims of trafficking and in training personnel who will be directly involved in the implementation of these programmes;

10. Encourages Governments, institutions and non-governmental organizations to take preventive and assistance measures, including by establishing helplines to enable trafficking victims, or potential victims, to seek assistance and to provide targeted training to those groups dealing with this problem, including law enforcement and judicial personnel, using as far as possible the use of female police officers to assist victims;

11. Also encourages Member States to consider signing and ratifying or acceding to the Convention for the Suppression of the Traffic in Persons and the

Exploitation of the Prostitution of Others, international agreements on the suppression of slavery and other relevant international instruments;

12. Invites the High Commissioner for Human Rights to include the trafficking of human beings among his priority concerns;

13. Invites States Parties to the Convention on the Elimination of All Forms of Discrimination against Women to include information and statistics on trafficking in women and girls as part of their national reports to the Committee on the Elimination of All Forms of Discrimination against Women, taking into account the general recommendation of the Committee;

14. Encourages the Inter-agency Committee on Women and Gender Equality to continue to address the issue as part of the integrated follow-up to the Fourth World Conference on Women;

15. Encourages all Governments to develop methodologies and to collect national information, including statistical data, on trafficking in women and girls in countries with special vulnerability, and to conduct a campaign designed to increase public awareness of the problem;

16. Welcomes the consideration given to the problems of trafficking in women and girls by the Commission on Crime Prevention and Criminal Justice, and invites the Commission to continue to consider appropriate measures to address this issue;

17. Requests the Economic and Social Council to include in the agenda of its coordination segment at a future substantive session the issue of the traffic in women and children, with a view to (a) coordinating efforts for the establishment of databases for use in combating the problem, for the adoption of preventive measures and for assisting victims of trafficking, and (b) assessing and coordinating programmes pertaining to the traffic in women and children, to strengthen them and achieve greater efficiency through coordinated action;

18. Also requests the Economic and Social Council to devote the high-level segment of a future substantive session to the issue of trafficking in women and children, adopting as theme for the meeting "International cooperation for the prevention and elimination of trafficking in women and children, and the rehabilitation of victims of trafficking";

19. Requests the Secretary-General to report to the General Assembly at its fifty-second session on the implementation of the present resolution.



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ADVANCEMENT OF WOMEN

Argentina, Australia, Austria, Bangladesh, Barbados, Brazil, Burundi, Canada, Cyprus, Ecuador, Eritrea, Ethiopia, Fiji, Finland, France, Germany, Hungary, Indonesia, Ireland, Israel, Liechtenstein, Luxembourg, Malawi, Malaysia, Mongolia, Myanmar, New Zealand, Nicaragua, Norway, Pakistan, Panama, Papua New Guinea, Peru, Poland, Portugal, Republic of Korea, Saint Lucia, Slovenia, Solomon Islands, South Africa, Spain, Sudan, Sweden, Tajikistan, Togo, Trinidad and Tobago, Turkey and Zambia: draft resolution

Improvement of the status of women in the Secretariat

The General Assembly,

Recalling Articles 1 and 101 of the Charter of the United Nations, as well as Article 8, which provides that the United Nations shall place no restrictions on the eligibility of men and women to participate in any capacity and under conditions of equality in its principal and subsidiary organs,

Recalling also its resolutions 45/125 of 14 December 1990 and 45/239 C of 21 December 1990, as well as the relevant paragraphs of the Beijing Declaration and Platform for Action adopted by the Fourth World Conference on Women on 15 September 1995, 1/

Concerned at the serious and continuing underrepresentation of women in the Secretariat, particularly at the D-1 level and above, where the numbers of women remain unacceptably low,

1/ A/CONF.177/20, chap. I, resolution 1, annexes I and II.

1. Welcomes the report of the Secretary-General; 2/
 2. Also welcomes the achievement of the goal of 35 per cent overall participation rate of women in posts subject to geographical distribution;
 3. Reaffirms the goal of 50/50 gender distribution by the year 2000, and expresses its concern that this goal may not be met, especially at policy-making and decision-making levels (D-1 and above);
 4. Calls upon the Secretary-General to ensure full and urgent implementation of the strategic plan of action for the improvement of the status of women in the Secretariat (1995-2000) 3/ in order to achieve the goal contained in the Platform for Action adopted by the Fourth World Conference on Women for overall gender equality, particularly at the Professional level and above, by the year 2000;
 5. Requests the Secretary-General to ensure that individual managers are held accountable for implementing the strategic plan within their areas of responsibility;
 6. Also requests the Secretary-General to continue his work to create a gender-sensitive work environment, including through implementation of all appropriate administrative procedures, in particular the special measures outlined in administrative instruction ST/AI/412 of 5 January 1996, and through development of a policy on sexual harassment;
 7. Further requests the Secretary-General to enable, from within existing resources, the Focal Point for Women effectively to monitor and facilitate progress in the implementation of the strategic plan;
 8. Strongly encourages Member States to support the strategic plan and the efforts of the United Nations and the specialized agencies to increase the percentage of women in Professional posts, especially at the D-1 level and above, by identifying and regularly submitting more women candidates and by encouraging women to apply for posts within the Secretariat, specialized agencies and regional commissions;
 9. Requests the Secretary-General to report on progress made on the status of women in the Secretariat to the Commission on the Status of Women at its forty-first session and to the General Assembly at its fifty-second session.
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2/ A/51/304.

3/ A/49/587 and Corr.1, sect. IV.



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ADVANCEMENT OF WOMEN

Argentina, Australia, Austria, Bangladesh, Barbados, Brazil, Burundi, Canada, Cyprus, Denmark, Ecuador, Eritrea, Ethiopia, Fiji, Finland, France, Germany, Hungary, Indonesia, Ireland, Israel, Liechtenstein, Luxembourg, Malawi, Malaysia, Mongolia, Myanmar, New Zealand, Nicaragua, Norway, Pakistan, Panama, Papua New Guinea, Peru, Poland, Portugal, Republic of Korea, Saint Lucia, Slovenia, Solomon Islands, South Africa, Spain, Sudan, Sweden, Tajikistan, Togo, Trinidad and Tobago, Turkey and Zambia:
draft resolution

Improvement of the status of women in the Secretariat

The General Assembly,

Recalling Articles 1 and 101 of the Charter of the United Nations, as well as Article 8, which provides that the United Nations shall place no restrictions on the eligibility of men and women to participate in any capacity and under conditions of equality in its principal and subsidiary organs,

Recalling also its resolutions 45/125 of 14 December 1990 and 45/239 C of 21 December 1990, as well as the relevant paragraphs of the Beijing Declaration and Platform for Action adopted by the Fourth World Conference on Women on 15 September 1995, 1/

* Re-issued for technical reasons.

1/ A/CONF.177/20, chap. I, resolution 1, annexes I and II.

Concerned at the serious and continuing underrepresentation of women in the Secretariat, particularly at the D-1 level and above, where the numbers of women remain unacceptably low,

1. Welcomes the report of the Secretary-General; 2/
2. Also welcomes the achievement of the goal of 35 per cent overall participation rate of women in posts subject to geographical distribution;
3. Reaffirms the goal of 50/50 gender distribution by the year 2000, and expresses its concern that this goal may not be met, especially at policy-making and decision-making levels (D-1 and above);
4. Calls upon the Secretary-General to ensure full and urgent implementation of the strategic plan of action for the improvement of the status of women in the Secretariat (1995-2000) 3/ in order to achieve the goal contained in the Platform for Action adopted by the Fourth World Conference on Women for overall gender equality, particularly at the Professional level and above, by the year 2000;
5. Requests the Secretary-General to ensure that individual managers are held accountable for implementing the strategic plan within their areas of responsibility;
6. Also requests the Secretary-General to continue his work to create a gender-sensitive work environment, including through implementation of all appropriate administrative procedures, in particular the special measures outlined in administrative instruction ST/AI/412 of 5 January 1996, and through development of a policy on sexual harassment;
7. Further requests the Secretary-General to enable, from within existing resources, the Focal Point for Women effectively to monitor and facilitate progress in the implementation of the strategic plan;
8. Strongly encourages Member States to support the strategic plan and the efforts of the United Nations and the specialized agencies to increase the percentage of women in Professional posts, especially at the D-1 level and above, by identifying and regularly submitting more women candidates and by encouraging women to apply for posts within the Secretariat, specialized agencies and regional commissions;
9. Requests the Secretary-General to report on progress made on the status of women in the Secretariat to the Commission on the Status of Women at its forty-first session and to the General Assembly at its fifty-second session.

2/ A/51/304.

3/ A/49/587 and Corr.1, sect. IV.



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Reaffirming the fundamental importance of the 1951 Convention ^{3/} and the 1967 Protocol ^{4/} relating to the Status of Refugees, in particular their implementation in a manner fully compatible with the object and purpose of these instruments, and noting with satisfaction that one hundred and thirty-two States are now parties to one or both instruments,

Commending the High Commissioner and her staff for the competent, courageous and dedicated manner in which they discharge their responsibilities, paying tribute to those staff members who have endangered or lost their lives in the course of their duties, and emphasizing the urgent need for effective measures to ensure the security of staff engaged in humanitarian operations,

Distressed at the widespread violations of the principle of non-refoulement and of the rights of refugees, in some cases resulting in the loss of their lives, and seriously disturbed at reports indicating that large numbers of refugees and asylum-seekers have been subjected to refoulement and expulsion in highly dangerous situations,

1. Strongly reaffirms the fundamental importance and the purely humanitarian and non-political character of the function of the Office of the United Nations High Commissioner for Refugees of providing international protection to refugees and seeking permanent solutions to the problem of refugees, and the need for States to cooperate fully with the Office in order to facilitate the effective exercise of that function;

2. Calls upon all States that have not yet done so to accede or succeed to and to implement fully the 1951 Convention and the 1967 Protocol relating to the Status of Refugees and relevant regional refugee instruments, as applicable, for the protection of refugees;

3. Reiterates that everyone, without distinction of any kind, has the right to seek and to enjoy in other countries asylum from persecution, and calls upon all States to uphold asylum as an indispensable instrument for the international protection of refugees and to respect scrupulously the fundamental principle of non-refoulement, which is not subject to derogation;

4. Urges States to ensure access, consistent with relevant international and regional instruments, for all asylum-seekers to fair and efficient procedures for the determination of refugee status and the granting of asylum to eligible persons;

5. Deplores the fact that in certain situations refugees, returnees and displaced persons of concern to the Office of the High Commissioner have been subjected to armed attack, murder, rape and other violations of or threats to their personal security and other fundamental rights, and calls upon States to take all measures necessary to ensure respect for the principles of refugee

^{3/} United Nations, Treaty Series, vol. 189, No. 2545.

^{4/} Ibid., vol. 606, No. 8791.

protection and the humane treatment of asylum-seekers in accordance with internationally recognized human rights and humanitarian norms;

6. Emphasizes the importance of ensuring access by the Office of the High Commissioner to asylum-seekers, refugees and other persons of concern in order to enable it to carry out its protection functions in an effective manner; expresses deep concern at conditions, in a number of countries or regions, that seriously impede the delivery of humanitarian assistance and protection, and calls upon States to take all necessary measures to ensure such access and to ensure the security of staff engaged in humanitarian operations;

7. Reiterates its support for the role of the Office of the High Commissioner in exploring further measures to ensure international protection to all who need it, consistent with fundamental protection principles reflected in international instruments, and supports the High Commissioner in continuing further consultations and discussions in this regard;

8. Encourages the Office of the High Commissioner to continue and strengthen its efforts for the protection of women having a well-founded fear of persecution, and calls upon States to adopt an approach that is sensitive to gender-related concerns and ensures that women whose claims to refugee status are based upon a well-founded fear of persecution, including persecution through sexual violence or other gender-related persecution, are recognized as refugees under the terms of the 1951 Convention and its 1967 Protocol;

9. Urges all States and relevant United Nations, intergovernmental and non-governmental organizations to support the High Commissioner's search for durable solutions to refugee problems, including voluntary repatriation, integration in the country of asylum and resettlement in a third country, as appropriate, and welcomes in particular the ongoing efforts of the Office to pursue whenever possible opportunities to promote conditions conducive to the preferred solution of voluntary repatriation;

10. Underlines the interrelationship between protection and solutions as well as the desirability of prevention, including through respect for human rights and the implementation of relevant instruments and standards, and emphasizes the responsibility of States to resolve refugee situations and to ensure conditions that do not compel people to flee in fear, to uphold the institution of asylum in order to create conditions conducive to voluntary repatriation, to take steps to meet essential humanitarian needs and to cooperate with countries on whom the large-scale presence of refugees weighs most heavily;

11. Acknowledges the desirability of comprehensive approaches by the international community to the problems of refugees and displaced persons, including addressing root causes, strengthening emergency preparedness and response, providing effective protection and achieving durable solutions;

12. Emphasizes the value of comprehensive, regional approaches in which the High Commissioner has played a significant part both in countries of origin and countries of asylum, encourages States, in coordination and cooperation with each other and with international organizations, if applicable, to consider

adopting protection-based comprehensive approaches to particular problems of displacement, and endorses, in this connection, the adoption of comprehensive and regional approaches within a protection framework adopted by the Executive Committee of the Programme of the High Commissioner at its forty-seventh session;

13. Recalls that the Office of the High Commissioner may be called upon by the appropriate organs of the United Nations and with the consent of the State concerned to extend its assistance to other groups, such as internally displaced persons, recognizing that such involvement may contribute to the prevention or mitigation of refugee situations, yet emphasizing that activities on behalf of internally displaced persons must not undermine the institution of asylum, including the right to seek and to enjoy in other countries asylum from persecution;

14. Reiterates the relationship between safeguarding human rights and preventing refugee situations, recognizes that the effective promotion and protection of human rights and fundamental freedoms, including through institutions that sustain the rule of law, justice and accountability, are essential for States to fulfil their humanitarian responsibilities in reintegrating returning refugees, and, in this connection, calls upon the Office of the High Commissioner, within its mandate and at the request of the Government concerned, to strengthen its support of national efforts at legal and judicial capacity-building, where necessary, in cooperation with the United Nations High Commissioner for Human Rights;

15. Also reiterates that development and rehabilitation assistance is essential in addressing some of the causes of refugee situations and in the context of the development of prevention strategies;

16. Reaffirms that voluntary repatriation is the ideal solution to refugee problems, and calls upon countries of origin, countries of asylum, the Office of the High Commissioner and the international community as a whole to do everything possible to enable refugees to exercise their right to return home in safety and dignity;

17. Reiterates the right of all persons to return to their country, and emphasizes in this regard the prime responsibility of countries of origin for establishing conditions that allow voluntary repatriation of refugees in safety and with dignity, and, in recognition of the obligation of all States to accept the return of their nationals, calls upon all States to facilitate through bilateral agreements, the return of their nationals who have sought asylum but have been determined not to be refugees;

18. Encourages the High Commissioner to continue her activities on behalf of stateless persons, as part of her statutory function of providing international protection and of seeking preventive action, and to fulfil her responsibilities under General Assembly resolutions 3274 (XXIV) of 10 December 1974 and 31/36 of 30 November 1976, and calls upon States to assist the High Commissioner in fulfilling her responsibilities and to consider

acceding to the 1954 Convention relating to the Status of Stateless Persons 5/ and the 1961 Convention on the reduction of statelessness; 6/

19. Reaffirms that the Inter-agency Standing Committee is the primary mechanism for inter-agency decisions on system-wide policy issues relating to humanitarian assistance, for formulating a coherent and timely response to major disasters and complex emergencies and for inter-agency decisions of an operational nature, and calls on members of the Standing Committee to continue to examine as a matter of priority options and proposals to improve its functioning;

20. Calls upon all Governments and other donors to demonstrate their international solidarity and burden-sharing with countries of asylum through efforts aimed at continuing to alleviate the burden borne by States that have received large numbers of refugees, in particular those with limited resources, and to contribute to the programmes of the Office of the High Commissioner and, taking into account the effects on countries of asylum of the increasing requirements of large refugee populations and the need to widen the donor base and to achieve greater burden-sharing among donors, to assist the High Commissioner in securing additional and timely income from traditional governmental sources, other Governments and the private sector in order to ensure that the needs of refugees, returnees and other displaced persons of concern to the Office of the High Commissioner are met.

5/ United Nations, Treaty Series, vol. 360, No. 5158.

6/ Ibid., vol. 989, No. 14458.



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ADVANCEMENT OF WOMEN

Australia, Austria, Bangladesh, Barbados, Burkina Faso,
Canada, Chile, Costa Rica, Cyprus, Czech Republic, Denmark,
Ecuador, El Salvador, Ethiopia, Finland, France, Georgia,
Greece, Guatemala, Iceland, Ireland, Italy, Kyrgyzstan,
Luxembourg, Mongolia, Netherlands, New Zealand, Nicaragua,
Nigeria, Portugal, Romania, Slovakia, Slovenia, South
Africa, Sweden, Togo, Turkey, Venezuela and Zambia:
draft resolution

Convention on the Elimination of All Forms of Discrimination against Women

The General Assembly,

Bearing in mind that one of the purposes of the United Nations, as stated in Articles 1 and 55 of the Charter, is to promote universal respect for human rights and fundamental freedoms for all without distinction of any kind, including distinction as to sex,

Affirming that women and men should participate equally in social, economic and political development, should contribute equally to such development and should share equally in improved conditions of life,

Recalling the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993, 1/ in which the Conference stipulated that the human rights of women and the girl-child were an inalienable, integral and indivisible part of universal human rights,

1/ A/CONF.157/24 (Part I), chap. III.



Welcoming the growing number of States parties to the Convention on the Elimination of All Forms of Discrimination against Women, 2/ which now stands at one hundred and fifty-three,

Having considered the reports of the Committee on the Elimination of Discrimination against Women on its fourteenth 3/ and fifteenth 4/ sessions,

Noting that the number of reports to the Committee has increased as a result of the growing number of States parties to the Convention, and that the annual session of the Committee is the shortest of all the annual sessions of the human rights treaty bodies, thus creating a considerable backlog of reports submitted but not considered,

1. Urges all States that have not yet ratified or acceded to the Convention on the Elimination of All Forms of Discrimination against Women to do so as soon as possible, so that universal ratification of the Convention can be achieved by the year 2000;

2. Emphasizes the importance of full compliance by States parties with their obligations under the Convention;

3. Urges States to limit the extent of any reservation they lodge to the Convention, to formulate any reservations as precisely and as narrowly as possible, to ensure that no reservation is incompatible with the object and purpose of the Convention or otherwise incompatible with international treaty law, to review their reservations regularly with a view to withdrawing them and to withdraw reservations that are contrary to the object and purpose of the Convention or that are otherwise incompatible with international treaty law;

4. Invites States parties to the Convention to make all possible efforts to submit their reports on the implementation of the Convention in accordance with article 18 thereof and with the guidelines provided by the Committee on the Elimination of Discrimination against Women, and to cooperate fully with the Committee in the presentation of their reports;

5. Urges States parties to the Convention to take appropriate measures so that acceptance of the amendment to article 20, paragraph 1, of the Convention by a two-thirds majority of States parties can be reached as soon as possible in order for the amendment to enter into force;

6. Approves the request made by the Committee and supported by the States parties to the Convention for additional meeting time, within the overall existing budget, so as to allow the Committee to hold two sessions annually,

2/ Resolution 34/180.

3/ Official Records of the General Assembly, Fiftieth Session, Supplement No. 38 (A/50/38).

4/ Ibid., Fifty-first Session, Supplement No. 38 (A/51/38).

each of three weeks' duration, preceded by a pre-session working group, starting from 1997 for an interim period;

7. Welcomes the report of the Open-ended Working Group of the Commission on the Status of Women on the elaboration of a draft Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women; 5/

8. Decides to authorize the Open-ended Working Group to meet for ten working days, within existing United Nations resources, in parallel with the Commission on the Status of Women at its forty-first session;

9. Requests the Secretary-General to submit to the General Assembly at its fifty-third session a report on the status of the Convention and the implementation of the present resolution under the appropriate agenda item.

5/ Official Records of the Economic and Social Council, 1996, Supplement No. 6 (E/1996/26), annex III.



General Assembly

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LIMITEDA/C.3/51/L.21*
7 November 1996

ORIGINAL: ENGLISH

Fifty-first session
THIRD COMMITTEE
Agenda item 103

ADVANCEMENT OF WOMEN

Australia, Austria, Bangladesh, Barbados, Burkina Faso, Canada, Chile, Costa Rica, Cyprus, Czech Republic, Denmark, Ecuador, El Salvador, Ethiopia, Finland, France, Georgia, Greece, Guatemala, Iceland, Ireland, Italy, Kyrgyzstan, Luxembourg, Mongolia, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Portugal, Romania, Slovakia, Slovenia, South Africa, Sweden, Togo, Turkey, Venezuela and Zambia: draft resolution

Convention on the Elimination of All Forms
of Discrimination against Women

The General Assembly,

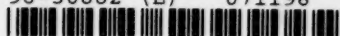
Bearing in mind that one of the purposes of the United Nations, as stated in Articles 1 and 55 of the Charter, is to promote universal respect for human rights and fundamental freedoms for all without distinction of any kind, including distinction as to sex,

Affirming that women and men should participate equally in social, economic and political development, should contribute equally to such development and should share equally in improved conditions of life,

Recalling the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993, 1/ in which the Conference stipulated that the human rights of women and the girl-child were an inalienable, integral and indivisible part of universal human rights,

* Reissued for technical reasons.

1/ A/CONF.157/24 (Part I), chap. III.



Welcoming the growing number of States parties to the Convention on the Elimination of All Forms of Discrimination against Women, 2/ which now stands at one hundred and fifty-three,

Having considered the reports of the Committee on the Elimination of Discrimination against Women on its fourteenth 3/ and fifteenth 4/ sessions,

Noting that the number of reports to the Committee has increased as a result of the growing number of States parties to the Convention, and that the annual session of the Committee is the shortest of all the annual sessions of the human rights treaty bodies, thus creating a considerable backlog of reports submitted but not considered,

1. Urges all States that have not yet ratified or acceded to the Convention on the Elimination of All Forms of Discrimination against Women to do so as soon as possible, so that universal ratification of the Convention can be achieved by the year 2000;

2. Emphasizes the importance of full compliance by States parties with their obligations under the Convention;

3. Urges States to limit the extent of any reservations they lodge to the Convention, to formulate any such reservations as precisely and as narrowly as possible, to ensure that no reservations are incompatible with the object and purpose of the Convention or otherwise incompatible with international treaty law, to review their reservations regularly with a view to withdrawing them and to withdraw reservations that are contrary to the object and purpose of the Convention or that are otherwise incompatible with international treaty law;

4. Invites States parties to the Convention to make all possible efforts to submit their reports on the implementation of the Convention in accordance with article 18 thereof and with the guidelines provided by the Committee on the Elimination of Discrimination against Women, and to cooperate fully with the Committee in the presentation of their reports;

5. Urges States parties to the Convention to take appropriate measures so that acceptance of the amendment to article 20, paragraph 1, of the Convention by a two-thirds majority of States parties can be reached as soon as possible in order for the amendment to enter into force;

6. Approves the request made by the Committee and supported by the States parties to the Convention for additional meeting time, within the overall existing budget, so as to allow the Committee to hold two sessions annually,

2/ Resolution 34/180.

3/ Official Records of the General Assembly, Fiftieth Session, Supplement No. 38 (A/50/38).

4/ Ibid., Fifty-first Session, Supplement No. 38 (A/51/38).

each of three weeks' duration, preceded by a pre-session working group, starting from 1997 for an interim period;

7. Welcomes the report of the Open-ended Working Group of the Commission on the Status of Women on the elaboration of a draft Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women; 5/

8. Decides to authorize the Open-ended Working Group to meet for ten working days, within existing United Nations resources, in parallel with the Commission on the Status of Women at its forty-first session;

9. Requests the Secretary-General to submit to the General Assembly at its fifty-third session a report on the status of the Convention and the implementation of the present resolution under the appropriate agenda item.

5/ Official Records of the Economic and Social Council, 1996, Supplement No. 6 (E/1996/26), annex III.



General Assembly

Distr.
GENERAL

A/C.3/51/L.22
6 November 1996

ORIGINAL: ENGLISH

Fifty-first session
THIRD COMMITTEE
Agenda items 102 and 116

INTERNATIONAL DRUG CONTROL

PROGRAMME BUDGET FOR THE BIENNIUM 1996-1997

International action to combat drug abuse and illicit production and trafficking

Programme budget implications of section IV of the draft resolution contained in document A/C.3/51/L.9

Statement submitted by the Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly

A. Requests contained in the draft resolution

1. Operative paragraphs 5 to 8 and 10 of section IV of draft resolution A/C.3/51/L.9 entitled "Special session of the General Assembly devoted to the combat against the illicit production, sale, demand, traffic and distribution of narcotic drugs and psychotropic substances and related activities", read as follows:

"The General Assembly,

...

"5. Decides that the special session be held for three days in June 1998, immediately after all the necessary preparatory work has been done to ensure its success, and 10 years after the adoption of the 1988 Convention;

"6. Decides further that the Commission on Narcotic Drugs should act as the preparatory body for the special session of the General Assembly,



open-ended in its deliberations, allowing for the full participation of all States Members of the United Nations and of specialized agencies and observers in accordance with the established practices;

"7. Invites the Commission on Narcotic Drugs to take appropriate measures to prepare for the special session, as early as possible, including the possibility of establishing working groups;

"8. Takes note with appreciation of initiatives by Member States aiming at providing inputs to the Commission on Narcotic Drugs in its capacity as a preparatory forum for the special session, including the convening of groups of high-level governmental experts;

...

"10. Also decides that the preparatory process for the special session of the General Assembly should be funded through the regular budget of the United Nations, bearing in mind the need to keep financial costs to a minimum, and that Governments should be invited to make extrabudgetary contributions to meet those costs."

B. Activities by which the request would be implemented

2. Activities proposed in the draft resolution are related to programme 28, International drug control, of the medium-term plan for the period 1992-1997, as amended, 1/ and to section 14, International drug control, of the programme budget for the biennium 1996-1997. 2/ The proposed activities relate to all subprogrammes. No provision has been made under the approved programme budget in relation to requests quoted in paragraph 1 above.

3. Should the draft resolution be adopted, the special session of the General Assembly would be held for three days in June 1998, immediately after all the necessary preparatory work has been completed. It is envisaged that there would be four meetings per day, including those of the Plenary and the Main Committee. There would be 80 pages of pre-session, 50 pages of in-session and 24 pages of post-session documentation. The Commission on Narcotic Drugs would act as preparatory body for the special session. For each preparatory meeting, there would be 36 pages of pre-session, 12 pages of in-session and 12 pages of post-session documentation.

4. In 1997, these activities would require 12 work-months of Professional staff at the P-5 level and 6 work-months of a consultant in order to prepare the necessary documentation for the special session, as well as 12 work-months of General Service staff for administrative support.

5. For the preparation of the substantive materials and reports for the special session of the General Assembly, the holding in 1997 of six expert group meetings is foreseen on demand reduction (one meeting), judicial cooperation (two meetings), prevention of action against money laundering (one meeting) and alternative development and its role in the eradication of illicit cultivation

(two meetings), and one intergovernmental open-ended working group on demand reduction.

6. The expert group meeting on demand reduction would be held at Vienna for five days, with the participation of 20 experts; the two meetings on judicial cooperation would be held at Vienna for five days, with the participation of 15 experts; the meeting on prevention of action against money laundering would be held at Vienna for five days, with the participation of 25 experts; the two meetings on alternative development and its role in the eradication of illicit cultivation would be held at Vienna for five days with the participation of 15 experts; and the intergovernmental open-ended working group on demand reduction would take place at Vienna for three days. Consultancy services would be required for the preparatory work for the intergovernmental open-ended working group (two work-months), and for the expert group meeting on alternative development and its role in the eradication of illicit cultivation (three work-months for the second meeting). Professional staff would be required for the preparation of the activities listed above, corresponding to a total of 14 work-months at the P-4 level.

7. In 1998, two expert group meetings on judicial cooperation and prevention of action against money laundering would take place, in addition to the second intergovernmental open-ended working group on demand reduction.

C. Modification of the approved programme budget for the biennium 1996-1997

8. Should the draft resolution be adopted, section 14 of the approved programme budget for the biennium 1996-1997 would be modified as follows:

Subprogramme 1

2. Parliamentary services

(b) Substantive and technical (secretariat) services. Add: Substantive service for holding the preparatory meetings and the special session to be held in 1998;

(c) Ad hoc expert groups. Add: Two expert group meetings on judicial cooperation. Delete: One (out of three) expert group meeting to elaborate and review the commentary on the 1988 Convention

Subprogramme 2

2. Parliamentary services

(b) Ad hoc expert groups and related preparatory work. Modify:
(i) "Ad Hoc expert group meeting on demand reduction and techniques of assessment of levels of drug abuse" to read "One expert group meeting on demand reduction as preparatory work for the special session of the General Assembly".
Add: (iii) one intergovernmental open-ended working group on demand reduction;

and (iv) two expert group meetings on alternative development and its role in the eradication of illicit cultivation (XB).

Subprogramme 3

2. Parliamentary services

(c) Ad hoc expert groups. Add: One expert group meeting on prevention of action against money laundering (XB).

D. Estimates of resource requirements

9. Total resource requirements in 1997 are estimated at full cost as follows:

Substantive and technical servicing requirements (section 14)

United States dollars

General temporary assistance	
P-5 level (12 work-months)	147 100
General Service other level (12 work-months)	64 300
P-4 level (14 work-months)	147 600
Consultant (11 months)	88 000
Ad hoc expert group meetings (travel and daily subsistence allowances)	<u>529 500</u>
Total substantive and technical servicing requirements	<u>976 500</u>

Conference-servicing requirements at full cost (section 26E)

First preparatory meeting, Vienna, two days, 1997	<u>106 500</u>
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10. Total resource requirements in 1998 are estimated as follows:

Substantive and technical servicing requirements (section 14)

United States dollars

Travel of staff (travel, daily subsistence allowances and terminal allowances)	49 600
Expert group meeting	272 300
Consultancy	32 000
Travel of representatives (least developed countries)- New York	174 700
Total substantive and technical servicing requirements	<u>528 600</u>

Conference-servicing requirements at full cost
(section 26E)

307 100

E. Funding of additional requirements

1996-1997 programme budget

11. Total substantive and technical requirements amount to \$976,500 in 1997. Out of this amount a total of \$686,000 could be absorbed within the existing regular budget resources (\$372,100) and extrabudgetary resources (\$313,900). Details of absorption of these resource requirements are contained in sections F-H below.

12. For conference-servicing requirements pertaining to the meeting of the preparatory body for the special session of the General Assembly in 1997 amounts to \$106,500. The Commission on Narcotic Drugs would act as the preparatory body and would meet for two days prior to or following the fortieth session. With regard to the document requirements, the number of documents for the fortieth session of the Commission would be reduced proportionately to accommodate the documentation necessary for the preparatory work. Therefore, the resources required for the additional two days would be \$32,200 for interpretation and meeting services only.

1998

13. Total substantive and technical servicing requirements amount to \$528,600 (non-recurrent). Extrabudgetary resources will be sought to fund a number of expert group meetings. Activities to be funded from the regular budget would be reported in the context of the proposed programme budget for 1998-1999. With regard to conference-servicing requirements, it is expected that the forty-first session of the Commission would operate in the same fashion as the fortieth session. In addition, it is expected that an approximate amount of \$200,600 would be required for the holding of the special session of the General Assembly at Headquarters in June 1998.

F. Potential for absorption

14. Out of the total requirement for staff resources (\$359,000 on general temporary assistance), an amount of \$211,900 (\$148,600 regular budget and \$63,300 extrabudgetary) would be absorbed as follows: (a) 14 work-months at the P-4 level corresponding to \$147,600 would be absorbed within existing resources, by deploying staff time (9 work-months) released from cancellation or modification of originally planned expert group meetings, and seeking extrabudgetary resources for the remaining 6 work-months; (b) 12 work-months at the General Service other level, corresponding to \$64,300 by redeploying two staff assigned for other activities on a part-time basis. Total additional resources under this object of expenditure would thus amount to \$147,100 (12 work-months of staff at the P-5 level).

15. Total consultant resources requirements amounting to \$88,000 would be fully absorbed under existing regular budget resources as follows. Three work-months (\$24,000) pertaining to the consultancy services for the preparation of the report on the expert group meeting on alternative development and its role in the eradication of illicit cultivation would be funded from extrabudgetary

resources. The remaining eight work-months (\$64,000) would be absorbed within existing resources by postponing a few activities originally scheduled for 1997, such as consultancy work on the assessment and elaboration of recommendations on capillary electrophoreses as a new cost-effective tool in drug analysis; and scaling down other activities requiring consultancy expertise, such as on the formulation of national strategies on drug control.

16. Out of the total resource requirements (\$529,500) for the ad hoc expert group meetings, \$386,100 would be absorbed within the existing regular budget resources (\$159,500) and extrabudgetary resources (\$226,600) as follows: (a) the expert group meeting on demand reduction would be implemented using the resources originally foreseen for the expert group meeting on demand reduction and techniques of assessment of levels of drug abuse (\$91,100); (b) one expert group meeting on judicial cooperation would be using resources released from the cancellation of one of the three expert group meetings on elaboration and review of the commentary on the 1988 Convention (\$68,400); and (c) extrabudgetary resources would be sought for the implementation of three expert group meetings (\$226,600), one on prevention of action against money laundering and two on alternative development and its role in the eradication of illicit cultivation. Total additional resources under this object of expenditure would thus amount to \$143,400.

17. With regard to conference-servicing requirements costs incurred for the activities pertaining to the preparation of the special session during 1997, additional resources of \$32,200 would be required for the interpretation and meetings service. With regard to the conference-servicing requirements of the expert group meeting, no interpretation would be required except for two meetings that might require interpretation in English, French and Spanish. However, such resources have already been foreseen under the cancelled expert group meetings.

G. Contingency fund

18. It will be recalled that under the procedure established by the General Assembly in its resolution 41/213 of 19 December 1986, a contingency fund is established each biennium to accommodate additional expenditures derived from the legislative mandates not provided for in the approved programme budget. Under the same procedure, if additional expenditures proposed exceed resources available from the contingency fund, these activities can be implemented only through the redeployment of resources available from low-priority areas or the modification of existing activities.

19. Should it not prove possible to meet the cost required from the contingency fund, the activities and outputs to be carried out under section 14 foreseen for the biennium 1996-1997 would have to be further reprogrammed and modified beyond the proposals included in the present statement. With regard to section 26E, Conference services, the fortieth session of the Commission would have to be reduced from eight to six days.

H. Summary

20. Should the General Assembly adopt draft resolution A/C.3./51/L.9, additional requirements of \$976,500 would arise under section 14, International drug control, in 1997. Of these, \$372,100 could be met from redeployment of existing regular budget resources and \$313,900 from extrabudgetary resources. The balance of \$290,500 will be subject to the procedures governing the contingency fund.

21. Resources totalling \$174,700, \$353,900 and \$307,100 respectively for sections 1, 14 and 26E required for the implementation of the draft resolution in 1998, would be included in the proposed programme and budget for the biennium 1998-1999. Out of the \$353,900 foreseen for section 14, it is expected that \$130,000 would be funded from extrabudgetary resources.

Notes

1/ Official Records of the General Assembly, Forty-seventh Session, Supplement No. 6 (A/47/6/Rev.1), vol. II.

2/ Ibid., Fiftieth Session, Supplement No. 6 (A/50/6/Rev.1), vol. I.



General Assembly

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A/C.3/51/L.23
11 November 1996

ORIGINAL: ENGLISH

Fifty-first session
THIRD COMMITTEE
Agenda item 108

ELIMINATION OF RACISM AND RACIAL DISCRIMINATION

Costa Rica* and Turkey: draft resolution

Measures to combat contemporary forms of racism, racial discrimination, xenophobia and related intolerance

The General Assembly,

Recalling its resolution 50/135 of 21 December 1995 and Commission on Human Rights resolution 1996/21 of 19 April 1996, 1/

Bearing in mind the outcome of the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, and, in particular, the attention given in the Vienna Declaration and Programme of Action 2/ to the elimination of racism, racial discrimination, xenophobia and other forms of intolerance,

Aware that racism, being one of the exclusionist phenomena plaguing many societies, requires resolute action and cooperation for its eradication,

* On behalf of the States Members of the United Nations that are members of the Group of 77 and China.

1/ See E/1996/L.18; for the final text, see Official Records of the Economic and Social Council, 1996, Supplement No. 3 (E/1996/23).

2/ A/CONF.157/24 (Part I), chap. III.



Having examined the report of the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, 3/ including his conclusions and recommendations,

Deeply concerned that, despite continuing efforts, racism, racial discrimination, xenophobia and related intolerance, as well as acts of violence, continue to persist and even grow in magnitude, incessantly adopting new forms, including tendencies to establish policies based on racial, religious, ethnic, cultural and national superiority or exclusivity,

Conscious of the fundamental difference between, on the one hand, racism and racial discrimination as governmental policy or resulting from official doctrines of racial superiority or exclusivity and, on the other hand, other manifestations of racism, racial discrimination, xenophobia and related intolerance occurring in growing segments of many societies and perpetrated by individuals or groups, some of which are directed against migrant workers and members of their families,

Affirming that, under international law, racism is not an opinion but an offence, and in this regard endorsing Committee on the Elimination of Racial Discrimination general recommendation XV (42) of 17 March 1993 on article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination, in which it is considered that the prohibition of the dissemination of ideas based upon racial superiority or racial hatred can be a lawful restriction to the rights to the freedoms of opinion, expression and association as set forth in the Universal Declaration of Human Rights and article 5 of the Convention, 4/

Conscious also that impunity for crimes motivated by racist and xenophobic attitudes plays a role in weakening the rule of law and tends to encourage the recurrence to such crimes,

Underlining the importance of creating conditions which foster greater harmony and tolerance within societies,

1. Takes note of the report of the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance;

2. Requests the Special Rapporteur to continue his exchange of views with Member States, relevant mechanisms, related United Nations organs and specialized agencies in order to further their effectiveness and mutual cooperation;

3/ A/51/301/, annex.

4/ See Official Records of the General Assembly, Forty-eighth Session, Supplement No. 18 (A/48/18), chap. VIII, sect. B.

3. Regrets that the Special Rapporteur has continued to encounter difficulties in his effort to fulfil his mandate, owing to the lack of necessary resources;

4. Endorses the recommendation of the Special Rapporteur to convene without further delay a world conference on racism, racial discrimination, xenophobia and related intolerance, and to include the question of immigration and xenophobia in the agenda; 5/

5. Expresses its profound concern at and unequivocal condemnation of all forms of racism and all racist violence, including related acts of random and indiscriminate violence;

6. Expresses its deep concern at and condemnation of manifestations of racism, racial discrimination, xenophobia and related intolerance against migrant workers and members of their families and other vulnerable groups in many societies;

7. Encourages all States, in accordance with the conclusions and recommendations of the Special Rapporteur in his report, 3/ to include in their educational curricula and social programmes, at all levels as appropriate, knowledge, tolerance and respect for foreign cultures, peoples and countries;

8. Supports the efforts of Governments to take measures aimed at the eradication of all forms of racism, racial discrimination, xenophobia and related intolerance;

9. Categorically condemns any role played by some print, audio-visual or electronic media in inciting acts of violence motivated by racial hatred;

10. Recognizes that Governments should implement and enforce legislation to prevent acts of racism and racial discrimination;

11. Calls upon all Governments and intergovernmental organizations, with the assistance of non-governmental organizations, as appropriate, to continue to cooperate with and to supply relevant information to the Special Rapporteur;

12. Commends non-governmental organizations for their action against racism and racial discrimination and for their continuous support and assistance to the victims of racism and racial discrimination;

13. Urges all Governments to cooperate fully with the Special Rapporteur, with a view to enabling him to fulfil his mandate;

14. Urges the Centre for Human Rights of the Secretariat to expeditiously facilitate the work of the Special Rapporteur;

15. Requests once again the Secretary-General to provide, without any further delay, the Special Rapporteur with all the necessary human and financial

5/ See A/51/301, para. 57.

assistance to carry out his mandate efficiently, effectively and expeditiously and to enable him to submit, in a timely manner, a report on this question to the General Assembly at its fifty-second session.



General Assembly

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11 November 1996

ORIGINAL: ENGLISH

Fifty-first session
THIRD COMMITTEE
Agenda item 108

ELIMINATION OF RACISM AND RACIAL DISCRIMINATION

Austria, Belgium, Bulgaria, Canada, Costa Rica, Cyprus, Denmark,
Ecuador, Finland, France, Georgia, Germany, Greece, Hungary,
Ireland, Italy, Luxembourg, Morocco, Netherlands, Niger, Nigeria,
Pakistan, Panama, Portugal, Romania, Slovakia, Slovenia, Solomon
Islands, Spain, Sweden and United Kingdom of Great Britain and
Northern Ireland: draft resolution

International Convention on the Elimination of All Forms
of Racial Discrimination

The General Assembly,

Recalling its previous resolutions concerning the reports of the Committee on the Elimination of Racial Discrimination and its resolutions on the status of the International Convention on the Elimination of All Forms of Racial Discrimination, 1/

Reiterating the importance of the Convention, which is one of the most widely accepted human rights instruments adopted under the auspices of the United Nations,

Reiterating once again the need to intensify the struggle for the elimination of all forms of racism and racial discrimination throughout the world, especially its most brutal forms,

1/ Resolution 2106 A (XX), annex.



Aware of the importance of the contributions of the Committee to the efforts of the United Nations to combat racism and all other forms of discrimination based on race, colour, descent or national or ethnic origin,

Emphasizing the obligation of all States parties to the Convention to take legislative, judicial and other measures to secure full implementation of the provisions of the Convention,

Expressing its satisfaction at the entry into force on 3 December 1982 of the competence of the Committee to receive and consider communications from individuals or groups of individuals under article 14 of the Convention,

Bearing in mind the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993, 2/ in particular section II.B, relating to equality, dignity and tolerance, and General Assembly resolution 50/201 of 22 December 1995, in particular paragraph 9 thereof,

Recalling its resolution 47/111 of 16 December 1992, in which it welcomed the decision, taken on 15 January 1992 at the Fourteenth Meeting of States Parties to the International Convention on the Elimination of All Forms of Racial Discrimination, to amend paragraph 6 of article 8 of the Convention and to add a new paragraph, as paragraph 7 of article 8, with a view to providing for the financing of the Committee from the regular budget of the United Nations, and concerned that an amendment to the Convention has not yet entered into force,

Welcoming efforts of the Secretary-General to ensure interim financial arrangements for the financing of the expenses incurred by the Committee,

Recalling the provisions of paragraph 4 of article 10 of the Convention regarding the location of the meetings of the Committee,

Stressing the importance of enabling the Committee to function smoothly and to have all necessary facilities for the effective performance of its functions under the Convention,

I

Report of the Committee on the Elimination of
Racial Discrimination

1. Takes note with appreciation of the report of the Committee on the Elimination of Racial Discrimination on the work of its forty-eighth and forty-ninth sessions; 3/

2/ A/CONF.157/24 (Part I), chap. III.

3/ Official Records of the General Assembly, Fifty-first Session, Supplement No. 18 (A/51/18).

2. Commends the Committee for its work with regard to the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination;

3. Calls upon States parties to fulfil their obligation, under paragraph 1 of article 9 of the Convention, to submit in due time their periodic reports on measures taken to implement the Convention;

4. Commends the Committee on its working methods, including its procedure for reviewing the implementation of the Convention in States whose initial and periodic reports are overdue and the formulating of concluding observations on reports of States parties to the Convention;

5. Commends the Committee for its contribution to the prevention of racial discrimination, including early warning measures and urgent procedures, and welcomes its relevant action thereon;

6. Encourages the Committee to contribute fully to the implementation of the Third Decade to Combat Racism and Racial Discrimination and its revised Programme of Action, including by the continued collaboration between the Committee and the Subcommission on Prevention of Discrimination and Protection of Minorities;

7. Welcomes the cooperation and exchange of information between the Committee and relevant structures and mechanisms of the United Nations, including the United Nations High Commissioner for Human Rights, as well as the process of establishing liaisons with other international organizations;

II

Financial situation of the Committee on the Elimination of Racial Discrimination

8. Takes note of the report of the Secretary-General on the financial situation of the Committee on the Elimination of Racial Discrimination; 4/

9. Expresses its profound concern at the fact that a number of States parties to the Convention have still not fulfilled their financial obligations, as shown in the report of the Secretary-General, and strongly appeals to all States parties that are in arrears to fulfil their outstanding financial obligations under paragraph 6 of article 8 of the Convention;

10. Urges States parties to accelerate their domestic ratification procedures with regard to the amendment to the Convention regarding the financing of the Committee and expeditiously to notify the Secretary-General in writing of their agreement to the amendment, as decided upon at the Fourteenth Meeting of States Parties on 15 January 1992 and endorsed by the General Assembly in its resolution 47/111, and further reiterated at the Sixteenth Meeting of States Parties on 16 January 1996;

11. Requests the Secretary-General to continue to ensure adequate financial arrangements and appropriate means to ensure the functioning of the Committee;

12. Requests the Secretary-General to invite those States parties that are in arrears to pay the amounts in arrears, and to report thereon to the General Assembly at its fifty-second session;

13. Decides to consider at its fifty-second session, under the item entitled "Elimination of racism and racial discrimination", the report of the Secretary-General on the financial situation of the Committee and the report of the Committee;

III

Status of the International Convention on the Elimination of All Forms of Racial Discrimination

14. Takes note of the report of the Secretary-General on the status of the International Convention on the Elimination of All Forms of Racial Discrimination; 5/

15. Expresses its satisfaction at the number of States that have ratified the Convention or acceded thereto;

16. Reaffirms once again its conviction that ratification of or accession to the Convention on a universal basis and implementation of its provisions are necessary for the realization of the objectives of the Third Decade to Combat Racism and Racial Discrimination and for action beyond the Decade;

17. Requests those States which have not yet become parties to the Convention to ratify it or accede thereto;

18. Encourages States to limit the extent of any reservation they lodge to the Convention and to formulate any reservation as precisely and as narrowly as possible while ensuring that no reservation is incompatible with the object and purpose of the Convention or otherwise contrary to international law;

19. Requests the States parties to the Convention that have not yet done so to consider the possibility of making the declaration provided for in article 14 of the Convention;

20. Requests the Secretary-General to submit to the General Assembly at its fifty-third session a report concerning the status of the Convention, in accordance with Assembly resolution 2106 A (XX) of 21 December 1965.
